

**AMENDMENT TRANSMITTAL LETTER****After Final Rejection**Application No.
10/706,766Filing Date
November 12, 2003Examiner
J. G. BlancoGroup Art Unit
3738

Applicant(s): James D. Ralph, Stephen Tatar, and Joseph P. Errico

Docket No.
SPINE 3.0-446 CIP IV

Invention: INTERVERTEBRAL SPACER DEVICE HAVING A MULTI-PRONGED DOMED SPRING

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	2	- 20 =		x	
Independent Claims	1	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☒ Large Entity☐ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. _____ in the amount of _____.
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-1095
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.Michael J. Doherty
Attorney Reg. No. 40,592Dated: October 18, 2005LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 18, 2005

Signature: (Michael J. Doherty)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 18, 2005

Signature

Michael J. Doherty
(Michael J. Doherty)

Docket No.: SPINE 3.0-446 CIP IV CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ralph et al.

Application No.: 10/706,766

Confirmation No.: 7793

Filed: November 12, 2003

Art Unit: 3738

For: INTERVERTEBRAL SPACER DEVICE
HAVING A MULTI-PRONGED DOMED
SPRING

Examiner: J. G. Blanco

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: October 18, 2005

Respectfully submitted,

By *Michael J. Doherty*
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